

REDACTED COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff

v.

SHARON G. AGUAYO-RIVERA, and
JOSE ANTONIO TORRES,

Defendants.

Criminal Action No. 08-54

INDICTMENT

The Federal Grand Jury for the District of Delaware charges that:

INTRODUCTION

1. At various times during the period from in or about May 2005 through March 2006, the defendants SHARON G. AGUAYO-RIVERA and JOSE ANTONIO TORRES maintained a post office box in Laurel, Delaware, as well as street addresses in Laurel, Delaware, and Seaford, Delaware.

2. During this period of time, SHARON G. AGUAYO-RIVERA and JOSE ANTONIO TORRES utilized the post office box and these street addresses to send and receive numerous packages through the U.S. mail. Among other things, these packages collectively contained at least 80 Social Security cards and 80 Puerto Rican birth certificates, as well as two (2) New York birth certificates (and corresponding Social Security cards) and one (1) Massachusetts birth certificate (and corresponding Social Security card). These packages also contained money orders that were used to purchase these types of identity documents.

3. During this period of time, a number of the Social Security cards and birth certificates sent and/or received by SHARON G. AGUAYO-RIVERA and JOSE ANTONIO TORRES have been used by other persons for the purpose of providing proof of citizenship in order to secure or maintain employment in the State of Delaware, including documents in the names of C.A.N.L., A.O.D.A., E.J.A.H., M.A.S.R., F.L.O.A., M.H.T., J.C.P.B., J.A.C.R., D.D.R.B., J.L.G.R., J.C.R.R., J.C.V., A.S.M., AND F.R.O.

COUNT I

4. Paragraphs 1-3 are incorporated herein by reference.

5. From in or about May 2005 through in or about March 2006, in the State and District of Delaware and elsewhere, the defendants, SHARON G. AGUAYO-RIVERA and JOSE ANTONIO TORRES, did knowing¹ conspire to possess with intent to transfer unlawfully five or more identification documents other than those issued lawfully for their use, to wit Social Security cards and birth certificates; said identification documents were or appeared to have been issued by or under the authority of the United States; the transfer, possession, and use of said identification documents was in or affected interstate or foreign commerce; and said identification documents were transported in the mail in the course of the unauthorized transfer, possession, and use.

All in violation of Title 18, United States Code, Sections 1028(a)(3), (b)(2)(B), and (f).

COUNT II

6. Paragraphs 1-3 are incorporated herein by reference.

7. From in or about May 2005 through in or about March 2006, in the State and District of Delaware and elsewhere, the defendants, SHARON G. AGUAYO-RIVERA and JOSE ANTONIO TORRES, did knowingly possess with intent to transfer unlawfully five or

more identification documents other than those issued lawfully for the use of the defendant, to wit Social Security cards and birth certificates; said identification documents were or appeared to have been issued by or under the authority of the United States; the transfer, possession, and use of said identification documents was in or affected interstate or foreign commerce; and said identification documents were transported in the mail in the course of the unauthorized transfer, possession, and use.

All in violation of Title 18, United States Code, Sections 1028(a)(3), (b)(2)(B) and 2.

COUNT III

8. Paragraphs 1-3 are incorporated herein by reference.

9. From in or about May 2005 through in or about March 2006, in the State and District of Delaware and elsewhere, the defendants, SHARON G. AGUAYO-RIVERA and JOSE ANTONIO TORRES, did knowingly buy and sell a card that was, or purported to be, issued by the Commissioner of Social Security, and did possess a Social Security card with the intent to sell it, for the purpose of obtaining for him/herself and another person a payment or any other benefit for which s/he or such other person was not entitled, and for the purpose of obtaining anything of value and for other purposes.

All in violation of Title 42, United States Code, Section 408(a)(7)(C) and Title 18, United States Code, Section 2.


COUNT IV

10. From in or about May 2005 through in or about March 2006, in the State and District of Delaware and elsewhere, the defendants, SHARON G. AGUAYO-RIVERA and JOSE ANTONIO TORRES, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to a violation of 42 U.S.C. § 408(a)(7)(C), as described in paragraphs 8-9 above, incorporated herein by reference.

All in violation of Title 18, United States Code, Sections 1028A and 2.

A TRUE BILL:

COLM F. CONNOLLY
United States Attorney

By: 
Keith M. Rosen
Assistant United States Attorney

Dated: April 1, 2008